

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2526 of 1996

to

SPECIAL CIVIL APPLICATION No 2530 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE Y.B.BHATT

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KANUBHAI HIRABHAI SHAH

Versus

COMPETENT AUTHORITY AND ADDITIONAL COLLECTOR

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Appearance:

M/S THAKKAR ASSOC. for Petitioner

DS AFF.NOT FILED (R) for Respondent No. 1

MR SJ DAVE AGP for Respondent No. 2

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CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 12/07/1999

COMMON ORAL JUDGEMENT

1. This petition arises from orders passed under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976.

2. It is common ground on both sides that the State of Gujarat adopted the Urban Land (Ceiling & Regulation) Repeal Act, 1999 on 30th March, 1999.

3. It is also common ground on both sides that by virtue of section 4 of the Repeal Act, all proceedings pending on the said date shall abate.

4. It is so found and accordingly held, and the present petition is disposed off accordingly.

5. Learned counsel for the second respondent states

that the petitioners are in actual and physical possession of the land in question.

6. It may be noted that the statement made by learned counsel for the respondents that the petitioners are in possession is based on written instructions of Mr. M.S. Gohil, Deputy Collector.

7. Learned AGP states on instructions that the State of Gujarat will abide by the Circular issued by the State Government in the Revenue Department No. ULC/1099-602/V1 dated 15th April, 1999.

8. Rule is accordingly discharged with no order as to costs. Interim relief, if any, stands vacated.

(Y.B. BHATT, J.)

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